

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

**THE PROCTER & GAMBLE U.S.
BUSINESS SERVICES
COMPANY, as Plan Administrator
and on Behalf of THE PROCTER &
GAMBLE PROFIT SHARING
TRUST AND EMPLOYEE STOCK
OWNERSHIP PLAN and THE
PROCTER & GAMBLE SAVINGS
PLAN**
Plaintiff,

**Case No. 3:17-cv-00762
Honorable Robert D. Mariani**

vs.

**ESTATE OF JEFFREY
ROLINSON, Deceased, and
MARGARET M. LOSINGER,
Defendants.**

**PROCTER & GAMBLE'S
MOTION FOR SUMMARY JUDGMENT**

NOW COMES Plaintiff/Counter-Defendant, The Procter & Gamble U.S. Business Services Company (“P&G”), as Plan Administrator and on behalf of The Procter & Gamble Profit Sharing Trust and Employee Stock Ownership Plan and The Procter & Gamble Savings Plan (the “Plans”), through its undersigned counsel, and pursuant to Federal Rule of Civil Procedure 56 and Local Rules 7.4, 7.5 and 56.1, files this Motion for Summary Judgment averring the following:

1. P&G initiated this action on April 28, 2017 interpleading Defendants, the Estate of Jeffrey Rolison (the “Estate”) and Margaret M. Losinger (“Losinger”).

P&G requested that the Court determine the rights of each Defendant to certain pension plan assets payable due to the death of Jeffrey Rolison, a participant in the Plans. Doc. 1.

2. Thereafter, on July 10, 2017 the Estate filed a counterclaim against P&G and a crossclaim against Losinger (Doc. 13), and amended the counterclaim and crossclaim on February 19, 2019. Doc. 78.

3. Discovery has concluded in this case and the matter is ripe for adjudication.

4. P&G submits that as a matter law, the Estate's counterclaim against it should be dismissed.

5. P&G incorporates as though fully set forth herein its Brief in Support of Summary Judgment, Statement of Material Facts as to Which No Genuine Issue Exists, and accompanying Exhibits, which will be filed in accordance with Local Rule 7.5.

WHEREFORE, Plaintiff/Counter-Defendant, The Procter & Gamble U.S. Business Services Company, as Plan Administrator and on behalf of The Procter & Gamble Profit Sharing Trust and Employee Stock Ownership Plan and The Procter & Gamble Savings Plan, respectfully requests that this Court enter the attached proposed Order and grant P&G's Motion for Summary Judgment.

Dated: February 23, 2022.

Respectfully submitted:

s/ René E. Thorne

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**COUNSEL FOR PLAINTIFF/
COUNTER-DEFENDANT**

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**THE PROCTER & GAMBLE U.S.
BUSINESS SERVICES COMPANY,
as Plan Administrator and on Behalf of
THE PROCTER & GAMBLE
PROFIT SHARING TRUST AND
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PLAN and THE PROCTER &
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Plaintiff,**

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vs.

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Deceased, and MARGARET M.
LOSINGER, Defendants.**

ORDER

Upon consideration of the Motion for Summary Judgment by Plaintiff/Counter-Defendant The Procter & Gamble U.S. Business Services Company, as Plan Administrator and on behalf of The Procter & Gamble Profit Sharing Trust and Employee Stock Ownership Plan and The Procter & Gamble Savings Plan and any responses thereto, it is hereby **ORDERED** that the Motion is **GRANTED** and that the Estate of Jeffrey Rolison's counterclaim is dismissed with prejudice.

This ____ day of _____, 2022.

BY THE COURT:

ROBERT D. MARIANI
UNITED STATES DISTRICT COURT JUDGE